

## Message Text

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PAGE 01 PEKING 00738 200808Z  
ACTION EA-12

INFO OCT-01 ISO-00 AID-05 CIAE-00 COME-00 EB-08 FRB-03  
INR-10 NSAE-00 USIA-06 TRSE-00 XMB-02 OPIC-03  
SP-02 LAB-04 SIL-01 OMB-01 L-03 H-01 NSC-05  
SS-15 STR-07 CEA-01 PA-01 CU-04 /095 W  
-----059194 200830Z /17

R 200339Z MAR 78  
FM USLO PEKING  
TO SECSTATE WASHDC 0164  
INFO AMCONSUL HONG KONG

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E.O. 11652: NA  
TAGS: ETRD EIND CH US

SUBJ: REGISTRATION OF US TRADEMARKS IN PRC

1. USLO HAS LEARNED THAT PRC HAS DECIDED TO PERMIT US FIRMS TO APPLY FOR TRADEMARK REGISTRATION. NEW POLICY WAS CONFIRMED TO USLO OFFICER ON MARCH 17 BY OFFICIALS OF THE LIAISON DEPARTMENT OF THE CHINA COUNCIL FOR THE PROMOTION OF INTERNATIONAL TRADE (CCPIT). WE UNDERSTAND THAT THE NEW POLICY WILL BE MADE RETROACTIVE FROM JANUARY 1 AND THAT CCPIT HAS RECENTLY WRITTEN TO THE NATIONAL COUNCIL FOR US-CHINA TRADE WITH FURTHER DETAILS. AMERICAN FIRMS WISHING TO REGISTER TRADEMARKS MUST APPLY TO THE LEGAL DEPARTMENT OF CCPIT, WHICH IS RESPONSIBLE FOR ADMINISTERING CHINESE TRADEMARK REGULATIONS AS THEY APPLY TO FOREIGN FIRMS. WE HAVE REQUESTED AN APPOINTMENT WITH THAT OFFICE TO LEARN FURTHER DETAILS.

2. COMMENT: IN OUR VIEW, THE NEW POLICY REPRESENTS A SMALL BUT SIGNIFICANT STEP IN BILATERAL COMMERCIAL RELATIONS. NOT ONLY DOES IT INDICATE PRC  
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WILLINGNESS TO MOVE FORWARD ON TRADE ARRANGEMENTS EVEN IN THE ABSENCE OF FULL POLITICAL NORMALIZATION BUT IT ALSO CORRECTS AN ASSYMETRY SINCE THE PRC STATE FOREIGN TRADING CORPORATIONS ARE ALREADY PERMITTED TO REGISTER TRADEMARKS IN THE US. WHILE US FIRMS WERE NEVER REALLY IN DANGER OF HAVING THEIR TRADEMARKS PIRATED BY THE PRC FTC'S, THE NEW ARRANGEMENT SHOULD

HELP ALLEVIATE POTENTIAL MISUNDERSTANDINGS FOR  
AMERICAN PRODUCTS WHICH MIGHT HAVE A TRADEMARK SIMILAR  
TO A CHINESE PRODUCT AND, MORE SIGNIFICANTLY, SHOULD  
PREVENT UNAUTHORIZED THIRD COUNTRY REGISTRATION OF  
US TRADEMARKS IN THE PRC. TO OUR KNOWLEDGE, PRC'S PAST  
PRACTICE HA BEEN TO EXTEND TRADEMARK PROTECTION ONLY  
ON THE BASIS OF A RECIPROCAL BILATERAL AGREEMENT.  
DEAN

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NNN

## Message Attributes

**Automatic Decaptioning:** Z  
**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** TRADEMARKS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 20 mar 1978  
**Decaption Date:** 20 Mar 2014  
**Decaption Note:** 25 YEAR REVIEW  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 20 Mar 2014  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1978PEKING00738  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
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**TAGS:** ETRD, EIND, CH, US  
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**Review Markings:**  
Sheryl P. Walter  
Declassified/Released  
US Department of State  
EO Systematic Review  
20 Mar 2014  
**Markings:** Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014